



June 26, 2013

Regional Freedom of Information Officer
United States Environmental Protection Agency, Region 9
75 Hawthorne Street (OPPA-2)
San Francisco, CA 94105
(415) 947-4251

Re: Freedom of Information Act Request Regarding Navajo Generating Station

On behalf of the Scharf-Norton Center for Constitutional Litigation at the Goldwater Institute (the "**Goldwater Institute**") and pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, this correspondence is a request for records, regardless of format, medium or physical characteristics.

Specifically, we seek the following documents and records:

1. Any and all documents (including any and all written or electronic correspondence, audiotapes, electronic records, videotapes, photographs, telephone messages, voice mail messages, e-mails, facsimiles, daily agendas and calendars, information about meetings and/or discussions, whether in-person or over the telephone, agendas, minutes and a list of participants for those meetings and/or discussions, and transcripts and notes of any such meetings and/or discussions) from August 2012 to the date of this letter that discuss or in any way relates to:

(a) the Navajo Generating Station Working Group, as that Group is described in the January 4, 2013 Joint Federal Agency Statement Regarding Navajo Generating Station, a copy of which is attached as Attachment A to this Letter;

(b) the Salt River Project ("**SRP**") Stakeholder Group, as referenced in the March 21, 2013 EPA PowerPoint presentation entitled "Overview of EPA Proposed Rulemaking for Navajo Generating Station," a copy of which is attached as Attachment B to this Letter;

(c) the Central Arizona Project ("**CAP**") Technical Work Group, as that Group is described in the May 2, 2013 CAP Federal Legislative Update, a copy of which is attached as Attachment C to this Letter; and

(d) any consideration or proposal to replace, repower or fuel switch the Navajo Generating Station. (the "**Subject**").

To the extent such documents and records are not included in Section 1(a)-(d) above, we further request copies of all documents and records between any Environmental

Protection Agency (EPA) employee, agent or representative, including but not limited to Janet McCabe, Tamara Saltman, Colleen McKaughan, Anita Lee, Phil Lorang, Deborah Jordan, Colleen McKaughan,, Ann Lyons, and Gerardo Rios, regarding the **Subject** with any of the following:

- i. the Navajo Generating Station Working Group
- ii. the SRP Stakeholder Group
- iii. the CAP Technical Work Group
- iv. U.S. Department of Energy
- v. U.S. Department of the Interior
- vi. U.S. National Park Service
- vii. U.S. Bureau of Indian Affairs
- viii. U.S. Office of Surface Mining Reclamation and Enforcement
- ix. U.S. Bureau of Land Management
- x. U.S. Fish and Wildlife Service
- xi. Navajo Nation
- xii. Hopi Tribe
- xiii. Gila River Indian Community
- xiv. CAP
- xv. Sierra Club
- xvi. Environmental Defense Fund
- xvii. Diné Cares
- xviii. Kelly Barr, SRP
- xix. Grant Smedley, SRP
- xx. Barbara Sprungl, SRP
- xxi. Paul Ostapuk, SRP
- xxii. David Modeer, CAP
- xxiii. Marie Pearthree, CAP
- xxiv. Tracey Tucker, CAP

2. Copies of any and all documents (including any and all written or electronic correspondence, audiotapes, electronic records, videotapes, photographs, telephone messages, voice mail messages, e-mails, facsimiles, daily agendas and calendars, information about meetings and/or discussions, whether in-person or over the telephone, agendas, minutes and a list of participants for those meetings and/or discussions, and transcripts and notes of any such meetings and/or discussions) sent or received by the EPA, (including receipt by carbon copy or blind carbon copy), regarding the **Subject** including, but not limited to, documents sent by or received from individuals representing or employed by those agencies and organizations identified in 1(d)(i)-(xvii) above, or any of the individuals identified in 1(d)(xviii)-(xxiv) above.

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Electronic production of records and information is acceptable. If the records are produced electronically, please include all associated metadata. If you refer me to a website containing responsive records, please specify the precise web address where they may be found.

I am willing to pay fees for this request up to two hundred dollars (\$200.00). If you estimate that fees will exceed this amount, please inform me first.

I request your response within the statutory timeframe of twenty (20) business days. If you are unable to complete the request within that time, please contact me with your progress and expected completion date.

Please mail responsive records to the mailed address above or e-mail address below.

If you deny access to any of the above public records, please provide forthwith a written statement of the express grounds for the denial, citing the law or regulation under which access is denied.

If you have any questions about this request or foresee any problems in fully releasing the requested records please contact me as soon as possible, I can be reached at 602-462-5000 or kaltman@goldwaterinstitute.org.

• Thank you for your prompt attention to this request.

Sincerely,



Kurt Altman
Senior Attorney